

CALIFORNIA TAHOE CONSERVANCY
FOREST HABITAT ENHANCEMENT PROGRAM
and
FUEL REDUCTION

PROGRAM ANNOUNCEMENT AND GUIDELINES

NOVEMBER 1990

(contact information updated October 2008)

Conservancy Board members

Larry Sevison, Chairman
John Hooper, Vice Chairman
Todd Ferrara
Anne Sheehan
Kathay Lovell
Norma Santiago
Lynn Suter
Terri Marceron

For further information contact:

**California Tahoe Conservancy
Forest Habitat Enhancement
and
Fuel Reduction Program
1061 Third Street
South Lake Tahoe, California 96150
530 543-6067**

Conservancy Staff

**Patrick Wright
Executive Officer**

**Tina Carlsen
Natural Resources Program Manager**

**Judy Clot
Forest Habitat Enhancement
and
Fuel Reduction Program Coordinator**

Tahoe Conservancy
Staff Recommendation
11-90-2
November 16, 1990

Forest Resource Management Guidelines

REQUESTED ACTION: Adoption of guidelines for the implementation of forest resource management activities on Conservancy lands.

FISCAL SUMMARY: The proposed action entails no new outlay of Conservancy funds, except administrative expenses and staff time. Additional funds may be generated from the sale of forest resource products on Conservancy lands.

RECOMMENDATION: Staff recommends that the Conservancy adopt the following resolution pursuant to Government Code Sections 66905 et seq., 66907, 66907.9, 66907.10 and 66908:

"The California Tahoe Conservancy hereby adopts the guidelines for forest resource management activities as substantially set forth in the accompanying staff report and Exhibit 1 and authorizes staff to take all necessary actions and to expend funds to implement the guidelines."

STAFF DISCUSSION:

I. Introduction

There is a significant need to enhance forest resources in the Lake Tahoe Basin through a more comprehensive forest management approach. Such an approach will help provide for a healthy, more diverse forest; achieve water quality objectives; enhance wildlife habitat; provide pest and fire protection; and realize scenic and recreation benefits.

It is an established ecological principle that biodiversity provides for ecosystem stability. Past forest management practices in the Lake Tahoe Basin such as clear cutting and aggressive fire suppression have allowed a weakened forest environment comprised generally of even-aged stands lacking in species diversity to evolve. These stands are particularly susceptible to rapid spread of diseases and insect infestations. Being even-aged, there is very little young growth to replace affected trees. This weakness is evidenced here in the Basin by the recent rapid increase in tree mortality resulting from stress from recent drought conditions and related fir engraver beetle infestation.

The U.S. Forest Service (USFS) estimates that 15% of the trees on its lands in the Basin are dead or dying (over 200 million board feet per year) (a board foot represents a volume of wood of one foot by one foot by one inch). There is also evidence that diseases such as the Jeffery Pine Beetle, Pine Bark Beetle and Mountain Pine Beetle are similarly spreading because of this weakened forest condition, and are affecting various pine species here in the Basin.

This situation is also evident on Conservancy lands. Preliminary estimates made by the California Department of Forestry and Fire Protection (CDFFP), based on a sampling of 1,100 acres of the 4,900 acres held by the Conservancy, indicate that approximately 8,000 trees on Conservancy lands are dead or dying as a result of this weakened forest condition and resulting insect infestation. Eight thousand typical trees, each comprised of an average of 500 board feet of timber, represents approximately four million board feet of timber. Although highly variable, this represents an average of about 1.3 trees per typical Conservancy-owned residential lot.

This unhealthy forest condition has resulted in various impacts on other forest dependent resources. Wildlife habitat resources have become degraded. A monoculture environment, as found in typical Basin forests, does not provide the varied habitat types needed to support varied wildlife populations. Wildlife often depend on such factors as having various-aged trees and a variety of vegetative communities which provide needed feeding, nesting and cover areas. The ability of the forest to help maintain water quality is diminishing. A healthy forest canopy provides a shelter to soil both as a physical barrier to precipitation and as a producer of duff material which directly protects soils from erosion. The forest also absorbs water and nutrients. An unhealthy forest will also result in watershed deterioration where there is no young growth to replace dying trees. Excessive fuel loading increases the possibility of wildfire which could result in catastrophic damage to watersheds in terms of soil erosion and other resource impacts and cause disturbance to visual qualities. The Basin's scenic and recreation values are diminished by the growing number of dead and dying trees which can now be seen throughout the Basin.

It is important to stress that these conditions are only symptoms of the poor condition of forest health in the Basin. The health of the forest can be improved through various management practices. Such practices could help restore conditions more typical of the natural forest environment which existed prior to the advent of management practices which have degraded this resource. This is not a simple task because the Conservancy has to be concerned with both the forest and the relationships of the human residents who share the forest.

The scope and size of the Conservancy's current inventory of lands provides an opportunity to consider a more comprehensive approach, including expanded efforts to achieve multiple forest resource management objectives. This can be accomplished through removal of dead, dying, deteriorating, or highly susceptible trees where insects or disease have been active or where fire, wind or past logging practices have caused damage, and through site restoration activities.

Such a comprehensive approach will permit the Conservancy to systematically improve its forest resources. Additionally, more wood products can be utilized within the Conservancy's programs or disposed of through sales or exchange for services, providing a means to continue to fund Conservancy management efforts. This program will also benefit local governments and erosion

control efforts, since the Conservancy is required, upon appropriation, to transfer 25 percent of the gross income from leases with private entities to the County in which the lease land is located. Fifty percent of these funds must be earmarked for purposes of erosion control.

In view of these needs and potential benefits, staff has developed guidelines which comprehensively address the Conservancy's forest resource management objectives. These guidelines will formalize the Conservancy's policy regarding the management of the forest resources in a manner which places the greatest emphasis on enhancing overall forest health, with the resulting benefits to wildlife habitat, water quality, recreation opportunities, visual quality and public safety.

It should be noted that staff's recommendation is not intended to create an inflexible or comprehensive set of conditions for forest resource management activities on Conservancy lands. Future modification or expansion of the guidelines may be needed to address a variety of situations which may arise through ongoing acquisition and management activities. However, adoption of the guidelines at this time will provide the staff with sufficient guidance to undertake a more comprehensive approach toward forest resource management activities beginning this winter and to plan bigger projects which may require specific board authorization at a later date.

II. Guidelines

As a component of the Conservancy's Resource Management Program, staff is recommending adoption of the following Forest Resource Management Guidelines. These guidelines provide for the comprehensive management of the Conservancy's forest resources in a manner which is consistent with adopted Conservancy resource management policies. They cover the approach's objectives, activities, procedures, and implementation.

A. Objectives - The proposed guidelines are intended to achieve the following objectives:

1. Manage forest resources in a manner consistent with the need to enhance the health of forest resources, preserve water quality, enhance wildlife habitat, and provide for public safety and protection of property. - The primary objective of these guidelines is to improve the overall health of forest areas through the removal of dead and dying trees, reforestation and site restoration, thinning of overstocked forest stands, protection of tree species of limited occurrence in the Basin, meadow enhancement and enhancement of wildlife habitat, all of which will have a number of benefits. Such efforts should result in increased biodiversity within forested areas (i.e., maintaining mixed-age stands including a variety of species) which enhances the health of the forest while providing wildlife and fish habitat, protecting watersheds, and provides open space and passive recreational benefits.

Additionally, it is important to manage the resource to provide for public safety and protection of property through the removal of hazard trees and by reducing the fuel load to diminish the likelihood of wildfire.

2. Implement forest resource enhancement activities in a timely and comprehensive manner through the use of both public and private resources. - Access to both public and private resources and capabilities are needed to supplement staff efforts in order to undertake a comprehensive approach to resource enhancement activities in a timely and comprehensive manner. These resources are available through a number of sources, including CDFFP and private contractors in the area.

3. Implement forest resource management activities in a cost-effective manner. - This objective places an emphasis on beneficial uses of forest resources within the various Conservancy programs and by making these resources available to the public and other agencies. The benefits from this approach include the utilization of surplus wood generated by the forest management effort and avoiding the waste of this material. Additionally, the disposal of surplus materials through sales can increase the Conservancy's fiscal capacity to carry out additional forest management activities. As the board is aware, budgeted funds which can be used for this program are limited.

B. Scope of Activities - In order to achieve these objectives, staff anticipates that forest resource management activities will be consistent with the following parameters:

1. Scale of activities - Reflecting the Conservancy's acquisition patterns, forest resource management activities will cover a wide range of parcels, from small residential parcels to larger forested tracts. However, most activities will be on smaller parcels or groups of parcels of up to three to five acres in size.

2. Types of activities - The Conservancy will be involved in a wide range of forest resource management activities ranging from removal of small trees in order to thin overstocked stands to the removal of dead and dying trees. The focus of activities will be on the removal of standing and felled hazard and diseased trees to prevent possible damage to neighboring structures and the further buildup of the fuel load. In particular, fuel loads will be reduced in areas in and around residential neighborhoods where the risk of man-caused fires is greatest. It will also include the undertaking of additional forest management activities such as thinning, removal of structurally weak or unhealthy trees, reforestation, meadow enhancement and other beneficial forest management activities necessary to achieve program objectives.

3. Selection of trees for removal - The selection of trees will be limited to what is necessary to achieve the management objectives for a particular site. The selection process for tree removal will depend on the type of project, land capabilities and the number of trees involved. Selection may range from single tree removal to group selection in areas of concentrated tree mortality. No clear cutting will be allowed. The removal of a group of trees will create small openings which may provide opportunities for reforestation or revegetation. Significant old growth areas will be retained. Based on various guidelines including those developed by CDFFP and the USFS, appropriate wildlife enhancement measures will be undertaken, including leaving an amount of appropriately distributed wildlife trees (dead snags) and downed logs throughout the

project site and redistributing nests, in order to meet wildlife objectives. (See Attachment A of Exhibit 1.)

4. Methods of tree removal, site protection, and restoration - The most environmentally sensitive tree removal method will be selected depending on land capabilities, estimated volume, proximity to stream environment zones (SEZs) and wildlife habitat sites of special concern, resource impacts and management objectives. Appropriate mitigation measures will be required during timber removal and the site will be restored upon completion of forest management activities. The varying needs of this effort will necessitate using a range of methods including hand-carrying firewood rounds or poles; removal over snow via sled; skidding; prescribed burning; or removal by helicopter. The construction of new timber haul roads will not be allowed. However, machine trails or log storage areas may be required in order to remove the logs.

In all cases, the Conservancy will comply with very restrictive Tahoe Regional Planning Agency (TRPA) and Lahontan Regional Water Quality Control Board requirements. For example, TRPA's tree removal ordinance regulates the types of activities and management methods to be used on Basin projects. These ordinances were developed to meet the TRPA 208 Water Quality Plan objectives for the Tahoe Basin. (See Attachment B of Exhibit 1.)

Applicable TRPA Best Management Practices (BMPs) will be employed on Conservancy projects to maintain water quality and to prevent or minimize water quality impacts. (See Attachment C of Exhibit 1.)

TRPA divides the applicable BMPs into three categories: temporary, permanent, and vegetative soil stabilization management practices. Temporary BMPs will be employed during construction or disturbance phases of the project to prevent soil loss from areas subject to short term disturbance. Temporary BMPs include the use of sediment barriers, non-vegetative soil stabilization practices, runoff diversions, sediment retention structures and grade stabilization practices.

Permanent and vegetative BMPs will be used to restore and stabilize the project site following the disturbance. These practices include the use of slope stabilization techniques, infiltration systems, runoff collection and conveyance methods and revegetation techniques. Depending on the needs of the site, reforestation activities may be the desirable means of restoration. Included in reforestation activities are the preparation of the ground surface prior to natural seed fall, artificial seeding or tree planting, and protection of young plants until well established.

Slash generated by these projects will generally be treated by removal, lopping and scattering, chipping, piling, and/or burning on site. (See Attachment D of Exhibit 1 for a description of slash treatment measures.) CDFFP staff will monitor projects to ensure that these requirements are met.

5. Use of tree materials - Upon achieving resource objectives, the Conservancy could use the timber for beneficial public and private purposes. Timber will continue to be made available for use within the Conservancy's programs (e.g., fence poles). Any surplus could then be made available to the public either as consideration for needed services or for sale. After meeting resource objectives, CDFFP estimates that two-thirds of the total quantity of the dead and dying trees has commercial value as saw logs or firewood. When a tree dies, it rapidly loses value as a saw log. Therefore, to recover the higher saw log value it is important that removal be within approximately one year. If not removed sooner the wood will only have commercial value as firewood and will be worth approximately one-third of the saw log value.

C. Procedures - Reflecting the complexity of forest resource management activities, the Conservancy's objectives, and the environmentally sensitive nature of the Basin, the following procedures are proposed for the program.

1. Planning - In order to meet program objectives and regulatory requirements, forest resource management planning will be carried out on an ongoing basis. The primary planning steps are described below.

a. inventory - Staff and CDFFP staff will continue to develop an inventory of forest management needs. The inventory will be generated by ongoing staff and CDFFP inspections, and through information provided by landowners and other parties regarding resource management needs.

b. prescription development - Upon identification of needs, a prescription or plan will be prepared and the appropriate environmental review process completed by CDFFP and staff for each project site.

The nature of the plan will depend on the project size, resource objectives to be met, location of the project and regulatory requirements. The Forest Practices Act governs, in part, the nature of the planning process. Small projects requiring relatively simple prescriptions involving minimal resource impacts will normally be exempt from Timber Harvest Plan (THP) requirements under the Forest Practices Act. The majority of Conservancy projects will be of this scale. For larger commercial projects of three acres or more, or when the project is anticipated to have more than minimal impact on resources, the Forest Practices Act requires that a THP be prepared.

Both the prescriptions and THP types of plans will identify, consistent with the scale of the proposed project, the manner in which the proposed project site will be treated, including the resource enhancement measures to be taken, criteria for the selection of any trees to be removed, the method of removal, treatment of slash, and required resource protection and site restoration measures. Particular attention will be paid to planning for water quality and wildlife habitat protection and enhancement.

c. environmental review - The Conservancy will be responsible for compliance with the California Environmental Quality Act (CEQA) for its actions. The environmental

review process is key to determining what appropriate actions are to be taken and identifying mitigation measures, including BMPs, that will be necessary to ensure that each prescription or THP provides for adequate environmental protection and resource benefits. Each plan will initially be analyzed by staff. When necessary, the assistance of the Department of General Services' Office of Project Development and Management (OPDM), and/or wildlife and other specialists will be obtained. To incorporate input from other agencies having jurisdiction in the Basin, a coordinated resource management planning (CRMP) approach may be used for larger projects to give the appropriate agencies direct involvement in the planning process. The type of environmental document will depend on the scope of the proposed project and its potential environmental impacts. The CEQA review undertaken by the Conservancy will be in addition to CDFFP review, which is a certified exempt program under CEQA.

2. Approval by applicable agencies - Review and/or approval by a number of agencies will be required upon preparation of the prescription or plan and appropriate CEQA documentation, including the following.

a. authorization by the Conservancy board - Upon adoption of the proposed guidelines, staff will begin to undertake smaller projects which qualify for a categorical exemption under CEQA. Pursuant to the Conservancy's CEQA regulations, the board will be required to review and approve all individual projects involving a negative declaration or environmental impact report under CEQA. Conservancy board members will also receive notice of all commercial (i.e., where the purchaser plans to resell the wood) or general sales to the public.

b. review by CDFFP - All projects requiring preparation of a THP, or a Timber Harvest Exemption or Timber Harvest Emergency (which allows harvesting for a 60-day period to respond to emergencies such as fire damage) under the Forest Practices Act, will be reviewed by the Director of CDFFP.

c. review by TRPA - Projects which involve the removal of 100 or more live trees of greater than six inches diameter breast height (dbh), are located on parcels of five acres or greater or which have more than minimal impact on resources will require TRPA approval of the THP. It is anticipated that the vast majority of Conservancy projects will be of such size and nature that they will be exempt from TRPA review. These smaller projects will be reviewed through the TRPA tree permit process administered by CDFFP.

3. Disposal of surplus wood generated by the program - Sales or disposal of surplus wood will be conducted according to adopted CDFFP procedures. Two types of activities are proposed for the disposal of surplus wood. The first method involves disposal through the sale of the wood. The second method involves the exchange of the wood for various services and benefits to the Conservancy. CDFFP will be responsible for establishing values for any surplus wood designated for public sale.

a. market disposal procedures - The procedure used will be dependent on the amount of and demand for available wood. CDFFP sales procedures allow for the sale of wood through two types of permits. Public notice will be issued to announce all commercial and general sales of surplus wood to the public. Sales of small quantities of wood from typical small residential lots to adjacent and nearby landowners for personal use will not involve this notice requirement due to the small size of these transactions. These sales will be handled through a personal use permit issued by the Conservancy through CDFFP.

A Class I CDFFP permit will be used for the sale of small quantities of wood to adjacent property owners, the general public, tree service contractors and timber operators. Class I sales are for the noncompetitive sale of quantities of 100,000 board feet or less and dollar values of less than \$10,000. CDFFP personnel will estimate the quantity of wood to be sold under each permit to establish a fixed value according to the CDFFP regulations and contact prospective purchasers.

When the value of the wood to be sold is greater than \$10,000 or the volume exceeds 100,000 board feet, CDFFP will use a Class III sales permit. A Class III sale is a competitive bid sale process. Volume is determined by CDFFP personnel and offered for sale to the highest bidder. This kind of sale will be rare on Conservancy properties.

CDFFP staff will issue all permits to cut and remove trees and administer all sales. The Conservancy will continue to use licensed tree service contractors or timber operators to fell hazard trees. In limited situations, the general public may be allowed to fell trees where no personal property or resources could be damaged. The permit will specify all conditions of the sale. The conditions of sale will reflect the provisions identified during the prescription development and environmental review process.

b. exchange of wood for services - When there is a lack of interest in a sale of wood or the Conservancy receives adequate benefits in lieu of payment, consideration will be given to the removal of small, less marketable amounts of wood at no charge. Removal of this material will be in exchange for some benefit or service to the Conservancy. In most cases, the consideration will be the removal of surplus wood and slash from the property. The disposal of this material could be arranged through voluntary management services agreements, free use permits or agreements with other community service organizations, public agencies or individuals.

D. Implementation of the Guidelines - Implementation of the proposed guidelines will involve Conservancy and CDFFP staff. CDFFP staff, in coordination with Conservancy staff, will be responsible for implementation of all the major elements of the guidelines pursuant to an existing interagency agreement. CDFFP will perform all inventory work, prepare forest management prescriptions and implement the disposal of surplus wood. OPDM and CDFFP will assist Conservancy staff in preparation of appropriate CEQA documents. Conservancy staff will continue to implement forest and meadow restoration projects with the assistance of California Conservation Corps crews. Private contractors under the supervision of CDFFP will be involved in most large scale timber removal activities.

III. Fiscal Analysis

The primary goal of this program is to improve the health of the Conservancy's forest resources and to achieve related resource benefits. However, staff expects that this goal can be achieved in such a manner that revenues can be generated over time to help cover some of the cost of the Conservancy's forest resource management activities. Staff estimates that it could take up to four years to amortize the current annual cost of around \$50,000 for CDFFP services. Possible revenues which could be generated over the next four years is estimated at \$200,000.

IV. Consistency with the Conservancy's Enabling Legislation

The Conservancy is authorized under Government Code Section 66907.10 improve acquired lands for the purposes of protecting the natural environment and preserving wildlife habitat areas. The proposed forest resource management guidelines are also consistent with this section and with Government Code Section 66907.9, which authorizes the Conservancy to "initiate, negotiate and participate in agreements for the management of land under its ownership or control with natural or corporate persons. . . and to enter into any other agreement authorized by state or federal law." The Conservancy is further authorized under Section 66907.8 to lease real property to individuals or corporate entities for management purposes.